

REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 1-5, 8, 10-15, 18, 20-24, 27, 29-33 and 36 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,510,322 (Schulte-Kellinghaus). The Schulte-Kellinghaus reference is directed to a temporary wireless local loop in a cellular mobile network wherein a switching center is in communication with mobile stations roaming in the service area of the switching center. Reservation requests are used to indicate to the switching center that a specific subscriber wants to reserve communication channel capacity for a specific cell in the network during a specific time period according to a specific bandwidth. If the bandwidth is available, the reservation is confirmed, however if the capacity is not available, only a rejection notice is sent to the subscriber unit. Among other differences, the reference does not appear to teach, among other things, negotiating with the user to determine alternative air interface resource requirements based on demands for air interface resources as set forth in the amended claims 1, 11, 20 and 29.

For example, the office action alleges that (original claim 4) negotiating alternative air interface resources was allegedly taught at column 8, lines 40-43, however this portion merely states that the switching center either rejects or confirms the request at a later time T-answer. There is no negotiating of alternatives as set forth in the claims. All that appears to be accomplished in the cited reference is that an accept or reject response is sent back to the user. There is no continued negotiation with the user to determine alternative air interface resource requirements as required by the claim. Since no negotiation as claimed is described in the cited reference, the claims are believed to be in condition for allowance.

In addition, the dependent claims add additional novel and non-obvious subject matter. By way of example, claim 10 claim requires “generating a call back notification” for a user to, among other things, locate the user as an agreed reservation time approaches, renegotiating air interface reservation parameters, and other operations. The office action cites column 7, lines 23-37. However, no “call back notification” appears to be sent by the cited reference. To the contrary, continued permanent monitoring of current cell positions is required in the cited reference as set forth, for example, in column 7, lines 35-37. As such, the claim is in condition for allowance. If the rejection is maintained, Applicants respectfully request a showing as to where the claimed “call back notification” as set forth in the claim is taught in the cited reference. The other dependent claims add additional novel and non-obvious subject matter.

Claims 6-10, 17, 19, 26, 28, 35 and 37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Schulte-Kellinghaus reference in view of U.S. Patent No. 6,374,109 (Shaheen et al.). These claims are allowable at least as depending from allowable base claims. In addition, these claims add additional novel and non-obvious subject matter. For example, claim 8 requires the step of determining the defined time based on the defined time based on the air interface resource reservation parameter and based on air interface resource usage data. As such, the system makes an actual determination to determine an appropriate time for a user to access the wireless communication system. In contrast, the Schulte-Kellinghaus reference does not allow the network element to determine a suitable time but instead simply compares a requested time to a current time to determine whether there is suitable resources. For example, as admitted in the office action, the cited reference merely teaches that a request is either accepted if the capacity is available at a specified time or rejected if it is not. In contrast, Applicants claim more than a comparison but actually require that a determination is made to

determine the defined time as opposed to just comparing a desired time as sent, for example, by the user. Instead, determining the defined time based on air interface resource reservation parameters and based on air interface resource usage data can facilitate negotiation or can cause a determination of a different time when resources are actually available which may be different from the desired time sought by the user. Since such an operation is not contemplated in the cited reference, Applicants respectfully submit that this claim is in condition for allowance. The other claims are also allowable as they add novel and non-obvious subject matter.


As to claims 9, 19, 28 and 37, Applicants respectfully reassert the relevant remarks made above with respect to claims 7, 17, 26 and 35. Accordingly, these claims are also in condition for allowance.

Claims 6, 16, 25 and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schulte-Kellinghaus in view of U.S. Patent No. 5,862,485 (Linneweh). Applicants respectfully submit that these claims are allowable at least as depending from an allowable base claim.

Accordingly, Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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